

PUBLIC MEETING MINUTES:	Special Law Enforcement Assistance Fund
MEETING DATE AND TIME:	Wednesday, May 31, 2017, 10:30 AM
PLACE:	Dover Police Department – Assembly Room 400 S Queen St. – Dover, DE 19904

SLEAF Committee Members Present:

- (1) Sean Lugg, State Prosecutor, Delaware Department of Justice
- (2) Major Rob Hudson, Delaware State Police
- (3) Captain Benjamin Feldman, New Castle County Police Department
- (4) Captain Stephen Misetic, Wilmington Police Department
- (5) Captain Tim Stump, Dover City Police Department
- (6) Chief Laura Giles, New Castle County
- (7) Chief Kenneth Brown, Sussex County
- (8) Jeffrey Horvath, Kent County

Administrative Staff Present:

Kimberly Moro, Delaware Department of Justice
Andrea Godfrey, Delaware Department of Justice
Patricia Davis, DAG, Delaware Department of Justice
Robert Dube, Delaware Department of Justice

Call to Order

State Prosecutor Sean Lugg called the meeting to order at 10:30 AM.

Opening Remarks

Mr. Lugg introduced himself, and reminded the SLEAF Committee and those in attendance that his previous assistant, Stephanie Mohr, had accepted a position with New Castle County government. Mr. Lugg introduced Ms. Mohr's replacement, Kim Moro, and advised that all applications must be submitted to Kim Moro. Mr. Lugg then introduced counsel to the SLEAF Committee, Deputy Attorney General Patricia Davis, and Department of Justice Controller Andrea Godfrey. Mr. Lugg concluded his remarks by reminding the SLEAF Committee and those in attendance that all SLEAF decisions are guided by the Delaware Code, specifically Section 4110 of Title 11, which states that the purpose of SLEAF grants "is to enhance the suppression, investigation, and prosecution of criminal offenses, promote officer safety, facilitate law enforcement training, further public safety, public education, and community awareness, and finally to improve victim services."

Review and Approval of Minutes

Following confirmation of the accuracy of the previous meeting's minutes, Major Hudson moved to approve the January 10, 2017 meeting minutes and Mr. Horvath seconded the motion. Upon motion duly made and seconded, the SLEAF Committee unanimously approved the minutes.

Discussion of SLEAF Regulations

Mr. Lugg stated that the next agenda item – SLEAF Policy and Regulations – will likely be a standing item on the agenda as we work to develop formal procedures. Mr. Lugg then asked Ms. Davis to lead the discussion. Ms. Davis agreed that discussion of regulations should be a standing item on the agenda and suggested that representatives take the discussions back to their agencies and provide input at future SLEAF meetings. Ms. Davis stated that the purpose of regulations is to clarify some of the things in the legislation, but also to provide some predictability and consistency for applicants. Much of the discussion focused on draft regulations prepared by Ms. Davis; references to specific numbered items from this draft are included herein and the draft regulations are incorporated by reference and included as Exhibit “A” to these minutes.

Captain Feldman proposed a discussion on whether or not SLEAF funds should be awarded for technology upgrades, saying historically they have approved such requests. Under 2.2.6, the regulations state that funds cannot be used for equipment necessary to replace existing equipment, however, he suggested an exception for technology. Mr. Lugg stated this was a good point of discussion, because technology upgrades are not what they used to be. Major Hudson stated that SLEAF should fund technology upgrades that are necessary and not budgeted in the agency's annual budget. For example, if Motorola no longer supports the radios that the officers have on their belts or in their cars, then SLEAF may cover replacement radios because that is not an expected expense in the agency's annual budget. Ms. Davis reminded the SLEAF Committee that prior guidelines indicate that SLEAF funds should not be used for normal operating expenses, but that technology should be discussed further because some requests come in that may be necessary for continued operation. Mr. Lugg stated that the Committee does have discretion as the guidelines are permissive and not exclusive. He suggested that maybe for the 2.0 items – in particular 2.2 – that examples be provided for things that may or may not be eligible for funds. Major Hudson asked to add language to allow exceptions in certain circumstances, such as upgrades or improvements. For example, software updates, technology updates, computers, handguns, rifles, shotguns, or tasers.

Captain Feldman shared that 2.2.6 needs to remain so people don't apply for night sticks when they hire a new police officer. He shared that it needs to be worded so that when an agency wants to buy a better vest for their SWAT team, then that would be available through SLEAF.

Ms. Davis referred back to a discussion from the January 10, 2017 SLEAF meeting regarding interest earned on SLEAF funds following the award but prior to expenditure. It was decided that accrued interest of \$100.00 or more will revert back to SLEAF.

Ms. Davis then brought up a discussion of applications for training, since it has come up a lot in the past. She said that training is eligible for SLEAF funding under 1.0, but asked if the committee wanted to include a statement that said the committee prioritizes requests for train the trainer or trainings for more than one person. Mr. Lugg suggested that prioritization should be given for training that: 1) captures as many individual law enforcement officers across the state, and 2) provides training for trainers. He shared that something that is helpful to the committee when they are looking at applications is to get a full understanding of what it is that is being applied for to separate out sending one officer to California for a training that is going to cost \$7000 versus a local

training that brings someone in that costs \$7000 to train 30 or 40 people. He said to include language in the regulations that expresses this. Ms. Davis says she will draft something for that.

Ms. Davis raised subscription services for discussion. Mr. Horvath asked if Ms. Davis meant this to include maintenance programs. For example, if an agency is going to buy equipment that also includes a three-year maintenance or warranty. Ms. Davis clarified that warranty services usually come with the equipment and the committee has been approving those requests. Ms. Davis offered as an example subscription services such as access to a database with an annual fee of \$25,000/year. Major Hudson stated that this falls directly under 2.2., which is normal operating expenses for an operational law enforcement agency, so subscription services are not generally something that should be considered for SLEAF funding. Captain Feldman stated that subscription services would not fall under normal operating budgets. Major Hudson said that the regulations should inform an applicant that if the SLEAF Committee does approve their request for a subscription service, it would be a one-time payment, so to not go into the subscription with the assumption that SLEAF will be funding the following years' payments.

Ms. Davis then proposed a discussion on warranty or service plans. She mentioned that warranties or service plans seem to come in with the purchase of equipment, and the Committee normally has been granting those requests. Mr. Horvath said if an application comes in for eight tasers and it is going to come with a 3-year warranty plan included in the price, the Committee approves that. However, if someone says that last week they bought 8 tasers and now want a separate warranty plan, the Committee will usually not approve that. Captain Misetic added that where it may become problematic is with things like driving simulators that have an ongoing training component and come with a five-year warranty, and then after the expiration of that warranty, the window is very short to upgrade your extended service contract or service plan, which includes the software updates, which are very costly. He commented that there is a cross over into the training line a little bit. For those situations, he agrees with the more or less disposable equipment, like the taser which has a lifespan on it, but not something that you need to keep updating through ongoing training. He then asked if that would be a training expense or a warranty expense. Mr. Horvath reiterated that this is a distinction the Committee has to make. He clarified that the Committee considers covering warranties if included with the initial application, but agencies cannot come looking for warranty for something already bought.

Ms. Davis then brought up a request from the staff regarding operating under 3.0, the procedures of the Committee. She expressed concern that sometimes applicants state at the time of the SLEAF Committee meeting "my request was for \$10,000, but something happened last week and I would like to modify that down to \$5,000." Ms. Davis suggested the Committee include a guideline regarding modifications the day of the meeting. Day-of-hearing downward modifications present no issues; however, requests to increase should be put in a new application. The Committee agreed.

Ms. Davis added for the next meeting, there will be a new version of these regulations based on the conversations today. Ms. Davis reminded everyone that she expects this to be a living document moving forward.

Consideration of SLEAF Applications

Mr. Lugg next presented pending SLEAF applications to the Committee. Mr. Lugg stated that there is currently \$736,474.41 in SLEAF application requests, and there is \$439,885.96 in available SLEAF

funds. In light of the \$296,588.45 shortfall, Mr. Lugg then asked if anyone had any applications they would like to withdraw:

1. Agency: Blades PD / Application # 16-068

The Committee reviewed the application for funding for evidence tracking software. The application seeks \$2,450.00. Officer Paul Anthony from Blades stated that he was able to receive the \$2,450.00 funding from another source for this application. Following a discussion of this application, Officer Anthony withdrew the application.

2. Agency: New Castle County PD / Application # 17-018

The Committee reviewed the application for funding for the purchase of 8 one-watt hour lithium ion batteries and two bay chargers for explosive ordnance disposal robotic systems. The application seeks \$6,120.00. Following a discussion of this application, Captain Feldman from New Castle County PD withdrew the application.

3. Agency: New Castle County PD / Application #17-020

The Committee reviewed the application for funding for the purchase of 4 Accuracy International AX sniper rifles. The application seeks \$41,000.00. Following a discussion of this application, Captain Feldman withdrew the application.

4. Agency: New Castle County PD / Application #16-090

The Committee reviewed the application for funding for the purchase of nine 3TB hard drives for their Drug Control Squad. The application seeks \$1,000.00. Following a discussion of this application, Captain Feldman withdrew the application.

5. Agency: Dover PD / Application #16-077

The Committee reviewed the application for funding for the purchase of a Faro 3D Laser Scanner. The application seeks \$77,489.00. A motion to table the application until the next SLEAF meeting was made by Captain Stump, seconded by Mr. Lugg. The application was unanimously tabled until the next SLEAF meeting.

The following departments applying for SLEAF funds were not present: New Castle City PD, South Bethany PD, Harrington PD, Delaware City PD, Smyrna PD, Laurel PD, Bridgeville PD. Applications submitted by these agencies, described below, were tabled in the absence of an agency representative.

6. Agency: New Castle City PD / Application #: 16-063

The Committee reviewed the application for funding for the purchase of 2 LIFEPAK AEDs, LexisNexis Database, and 2 Motorola APX 6,000. The application seeks \$8,900.00. Due to the fact that there were no representatives from the New Castle City PD present, a motion to table the application until the next SLEAF meeting was made by Mr. Lugg, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

7. Agency: Smyrna PD / Application #: 16-073

The Committee reviewed the application for funding for the purchase of 8 Taser X2 weapons, 8 batteries, 8 holsters, 32 cartridges, and warrant and service plan. The application seeks \$13,441.56. Due to the fact that there were no representatives from the Smyrna PD present, a motion to table the application until the next SLEAF meeting was made by Mr. Lugg, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

8. Agency: Harrington PD / Application#: 17-021

The Committee reviewed the application for funding for the purchase of 2 Coban in-car system, camera, card reader, and a visor. The application seeks \$11,448.00. Due to the fact that there were no representatives from the Harrington PD present, a motion to table the application until

the next SLEAF meeting was made by Mr. Lugg, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

9. Agency: South Bethany PD / Application #: 16-071

The Committee reviewed the application for funding for the purchase to send two officers to the SMILE conference. The application seeks \$4,438.00. Due to the fact that there were no representatives from the South Bethany PD present, a motion to table the application until the next SLEAF meeting was made by Mr. Lugg, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

10. Agency: Delaware City PD / Application #: 16-095

The Committee reviewed the application for funding for the purchase of six Taser AXON body worn cameras and evidence.com system. The application seeks \$10,215.00. Due to the fact that there were no representatives from the Delaware City PD present, a motion to table the application until the next SLEAF meeting was made by Mr. Lugg, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

11. Agency: Laurel PD / Application #: 17-004

The Committee reviewed the application for funding for the purchase of 3 Motorola portable radios in order to upgrade older radios. The application seeks \$13,849.77. Due to the fact that there were no representatives from the Laurel PD present, a motion to table the application until the next SLEAF meeting was made by Mr. Lugg, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

12. Agency: Bridgeville PD / Application #: 16-051

The Committee reviewed the application for funding for the purchase of one utility vehicle to be used for rural patrol. The application seeks \$9,850.00. Due to the fact that there were no representatives from the Bridgeville PD present, a motion to table the application until the next SLEAF meeting was made by Mr. Lugg, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

SLEAF Applications Tabled From Last Meeting

13. Agency: Delaware State PD / Application #16-098

The Committee reviewed the application for funding to support the 22nd annual DSP Homicide Conference. The application seeks \$40,000.00. Mr. Horvath mentioned that this is one of the items that comes up every year that has always been approved because it goes along with the training discussion earlier in that it sweeps in everyone from across the state for training. Mr. Lugg mentioned that this was tabled the last meeting with the understanding that it would be reconsidered today given that the conference is in the Fall. A motion to approve was made by Mr. Horvath and seconded by Captain Feldman. Major Rob Hudson recused himself. The application was unanimously approved.

14. Agency: Capitol PD / Application #16-074

The Committee reviewed the application for funding for the purchase of three AEDs, one for each county. The application seeks \$5,746.20. Lieutenant Michael Downs from Capitol Police stated that he wished to table this application in order to prioritize their other application, #17-003. A motion to table the application until the next SLEAF meeting was made by Mr. Lugg and seconded by Mr. Horvath. The application was unanimously tabled until the next SLEAF meeting.

15. Agency: Delaware State PD / Application #16-070

The Committee reviewed the application for funding for annual expense of maintain the indoor firing range. The application had originally sought \$83,000.00. Major Hudson stated DSP wanted to reduce the amount to \$40,000. The funding is sought for the annual cleanup of the

firing range for the lead and contaminants. Captain Feldman raised the concern as to whether that should be included in the department's annual operating budget. Major Hudson shared that it is in the annual operating budget, but with the range, the department is in the process of redoing the HVAC system, so it has additional rewiring, clarifying that is how the funding would be utilized. Major Hudson stated that for this reason, it was not budgeted under care and replacement. Captain Feldman questioned if this fell under "building maintenance," which would not be eligible for SLEAF funds. Following the discussion whether of this application was allowable under the SLEAF guidelines, Major Hudson withdrew the application.

16. Agency: New Castle County PD / Application #16-089

The Committee reviewed the application for funding to purchase a pair of Power Moon lights and corresponding Honda gasoline powered generator. The application seeks \$4,100.00. Captain Feldman presented this application for a pair of portable lights that will be utilized by both their evidence detection unit as well as their collision reconstruction team. He noted the benefits of this equipment: for instance, in outdoor scenes at night, the lights are frequently used to assist other agencies in assessing a crime or collision scene. They are very portable and quickly deployable, and are much less cumbersome than a light tower. They would have the ability to get into off-road areas where you cannot get a light trailer. It illuminates the scene and provides proper lighting for photography in evidence collection. A motion to approve was made by Major Hudson, seconded by Captain Misetic. Captain Feldman recused himself. The application was unanimously approved.

17. Agency: Delaware State PD / Application #16-052

The Committee reviewed the application to purchase a replacement for their John Deere Gators. The application seeks to use \$20,000.00 of accrued interest. A motion to move this application to the "pass list" was made by Major Hudson, seconded by Mr. Lugg. The application was unanimously moved to the "pass list." Subsequently, Major Hudson explained that these would replace existing gators that no longer fit the bomb suits or the equipment that is used for the statewide bomb unit. A question was raised as to whether this would be a "vehicle" for which SLEAF funds could not be used. It was the general consensus that the intent is for police vehicles as regular patrol cars be excluded, and the committee has funded gators before. A motion to approve was made by Captain Misetic, seconded by Captain Stump. Major Hudson recused himself. The application was unanimously approved.

18. Agency: New Castle County PD / Application #16-087

The Committee reviewed the application to purchase equipment and supplies to enhance bike patrol's ability to train on multiple days. The application seeks \$5,250.00. A motion to move this application to the "pass list" was made by Captain Feldman, seconded by Mr. Lugg. The application was unanimously moved to the "pass list." Subsequently, Captain Feldman explained this request as a trailer with racks in it for easier transport of multiple bikes to various locations for training of a new Community Engagement Specialist unit. A motion to approve was made by Captain Stump, seconded by Chief Giles. Captain Feldman recused himself. The application was unanimously approved.

19. Agency: Delaware State PD / Application #16-091

The Committee reviewed the application to purchase upgrade of computer forensic workstations. The application sought \$89,635.00, however, Major Hudson voluntarily reduced the amount sought to \$40,000.00. Major Hudson stated that it is not the replacement of the work stations, but rather an upgrade of all the work stations for the computer-friendly science lab for the computer/technology that is done with sex crimes and other departments. Mr. Lugg stated that application had been reduced to \$40,000.00 with the explanation that it is an upgrade, as opposed to the replacement of equipment. A motion to approve was made by Captain Misetic, seconded by Mr. Horvath. Major Hudson recused himself. The application was unanimously approved.

20. Agency: New Castle County PD / Application #16-088:

The Committee reviewed the application to purchase 14 bike patrol uniforms for the newly established Community Engagement Specialist Unit. The application seeks \$2,500.00. The NCCPD has a new unit which is assigned to specific communities for community policing purposes. They were all recently trained on bike patrol and the funds would be to properly outfit them with an appropriate uniform. The proposed regulations state that uniforms are not eligible for SLEAF grants. However, in the past the Committee has approved uniforms for SORT teams for departments that did not previously have SORT teams, to form a new unit, including the New Castle County technical team. Mr. Lugg proposed that there should be a discussion in the areas where it is not a clear black and white, and in some areas it may be an expansion versus the sustaining of something already in existence. The intent of that language was for the Newark Police Department to not apply for buying regular patrol uniforms because they want to add six cops to the department, but most departments, many departments in the past have started new units, whether it be the SORT team, community policing unit, or a motorcycle unit, have applied for uniforms as a one-time deal and have gotten that because it's a new unit where the uniform did not exist. The NCCPD representative confirmed that the uniforms they were petitioning for are completely different than the regular patrol uniforms, and this unit has not before existed in the NCCPD. A motion to approve was made by Chief Giles, seconded by Captain Misetich. Major Hudson voted no. Captain Feldman recused himself. The application was approved by a vote of 5-1, with one recusal.

21. Agency: University of Delaware PD / Application #17-006

The Committee reviewed the application for funding to host Security Assessment for Law Enforcement Officers Seminar. The application seeks \$9,000.00. Chief Jeffrey Evans from University of Delaware PD shared that during his time with the University police, he has found that the agency is requested often to do security pre-assessments either on a hard venue or a temporary venue. He noted that most agencies are called to do pre-assessments or security assessments formally or informally, saying it could be something as simple as a residential burglary. He shared that he has asked for advice on how to target burglars. With that, he stated that he researched if there was any training to show officers how we were supposed to be doing these assessments because people are depending on us to do accurate assessments. He presented a training course, which is a 5-day course put on by the American Crime Prevention Institute which the University has used before, and it's an actual 5-day certification course, and at the end, an officer can be certified in doing several different types of assessments for either security or threat. It would be a 20-person cap, with four seats for the University, and sixteen seats open to any other agency that would be interested in attending. Someone asked in the case of 16 other agencies applied for positions, would they each get one position as opposed to someone getting three or four seats. The representative responded that it would depend. There would be one spot at first, and more would be offered if they did not fill up. A motion to approve was made by Mr. Horvath, seconded by Chief Giles. The application was unanimously approved.

22. Agency: New Castle County PD / Application #17-022

The Committee reviewed the application for funding for a train the trainer program addressing "Fair and Impartial Policing." The application seeks \$20,000.00. This program, led by Dr. Lorie Fridell from University of South Florida, who does a lot for the Police Executive Research Forum, provides instruction in the areas of fair and impartial policing and implicit bias. The representative says this will train 30 law enforcement personnel, and the NCCPD plans to utilize 6 of the 30 spots, leaving 24 available for police officers throughout the state. Those trained will then be available for other agencies across the state. A motion to approve was made by Chief Giles, seconded by Major Hudson. Captain Feldman recused himself. The application was unanimously approved.

23. Agency: Capitol Police PD / Application #16-066

The Committee reviewed the application to purchase 45 helmets with face shields. The application seeks \$5,500.00. Lieutenant Michael Downs from Capitol Police stated that he wished to table this application in order to prioritize their other application, #17-003. A motion to table the application until the next SLEAF meeting was made by Captain Misetic, seconded by Mr. Horvath. The application was unanimously tabled until the next SLEAF meeting.

24. Agency: Wilmington PD / Application #17-011

The Committee reviewed the application for funding for Polygraph 101 Basic course sponsored by Academy of Science. The application seeks \$45,000.00, however Captain Misetic reduced the amount sought to \$25,000.00 for a training course instead of the polygraph course. Captain Misetic stated that the application is broken up into two sections; one is for polygraph examiners for \$20,000.00, which he is going to discuss another time, while the other \$25,000.00 is for a supervisor training. Captain Misetic shared that the training will provide 35 seats and would be open to all Delaware agencies. A motion to approve was made by Major Hudson, seconded by Mr. Horvath. Captain Feldman recused himself. The application was unanimously approved.

25. Agency: New Castle County PD / Application #17-015

The Committee reviewed the application "Below 100" training. The application seeks \$2,500.00. The representative introduced Below 100, which is an organization that provides training with the hopes of preventing law enforcement deaths across the country to below 100 annually. They do this through lecture, visual & audio presentations, and personal testimonies of people affected by the loss of loved ones that were serving in the line of duty. It focuses on traffic accidents, fundamental things like the need to wear body armor, etc. An abbreviated version of this training was hosted by the FBI NA annual retraining in Dover this year. It was very well received, something that line officers should definitely see. This \$2,500.00 will help to train, they are anticipating around 200 officers from across the state. A motion to approve was made by Captain Misetic, seconded by Chief Giles. Captain Feldman recused himself. The application was unanimously approved.

26. Agency: Newark PD / Application #17-024

The Committee reviewed the application for funding for initial startup cost/purchase of tablets/protective cases for Drug Recognition Experts ("DREs"). The application seeks \$38,000.00. Captain Michael Van Campen, the Newark PD representative, shared that this application is in support of the DRE program. Currently the state of Delaware has 23 DREs throughout the state with 7 different agencies. He shared that they are looking for a database for each DRE, and a national program for recording. He stated that currently recording is usually done in an excel program. He emphasized that the application is interactive with all the agencies, and there are ten states that currently use this application, so it's a lot easier for the court and also the Attorney General's office. Currently the startup fee is \$23,000.00 and that's for 25 officer's access. He shared that the problem is, once you go above 25 officers, the price jumps up to \$40,000.00. So right now they are only asking for the \$23,000.00. There is an annual occurring cost which is going to be picked up by the Office of Highway Safety, but they are asking the \$23,000.00 for the application fees, and access for the 23 officers that we have throughout the state. Major Hudson asked if there was a reason OHS wasn't picking up the costs from the beginning. Captain Van Campen responded that it's too much of a start-up fee, but they can pick up the reoccurring costs. He also mentioned that the OHS isn't eligible for SLEAF funds. Major Hudson expressed concerns about OHS's grant funding not covering the whole cost of it, and because OHS can't ask for SLEAF, they've gotten Newark to ask for the SLEAF on their behalf. Mr. Lugg said OHS finds itself often as a conduit of funding for law enforcement rather than the source of funding for law enforcement, and he thinks Lieutenant Andrew Rubin with Newark Police Department is the lead of the DRE program statewide presently. Mr. Lugg doesn't believe

that OHS has a boots-on-the-ground function with the equipment that's being requested. Captain Van Campen agreed. Mr. Lugg clarified that they are asking for the tablets, protective cases for the tablets, and the application, and that the reoccurring cost of \$13,500/year will be covered by OHS. Chief Giles asked how many tablets they are talking about. Captain Van Campen responded with, because we currently have 23 DREs, he would like to go with 25, because after 26 it goes to \$40,000.00. Chief Laura Giles asked if each DRE will be assigned a tablet, so when they are called out from their home they can take it, to which Captain Van Campen confirmed. Mr. Lugg was asked if it would be helpful for prosecutors. Mr. Lugg said he has not seen it to know what it would do for prosecutors, so he can't answer the question. Mr. Lugg also said that his office has shifted a lot of their reporting to the e-crash and the digital lease that coordinates everything, which is incredibly helpful to them, and asking if that has any overlay that would provide that seamless acquisition of information. Captain Van Campen responded that it's independent of the lease, but it does overlay with the other states. He also stated that they have to display a user sign-in for the AG's office so that the AG could go in and pull information out. He added that even if it was sent information, it's going to be a lot cleaner than having all of the troopers sending scanned copies to be approved, and then it's approved, the corrections are made, and it's being sent back. He said that it is going to improve the quality of the report. Director Horvath asked what the benefit of interfacing with other states is. Captain Van Campen responded that it's helpful if the other states have a similar incident. He added that with Delaware being small, other states that are contributing (and we already have a handful of other states contributing with this) we look into their pre-sentencing investigations for the prosecution of DRE arrests. With this, it will help with Delaware prosecution of offenders. Chief Giles asked if the report would be similar to a supplement. Captain Van Campen responded that it's the same basically as the DRE report. The DRE will have things that aren't included in the one because they're going to be picking up pictures from some of the medical evaluations. So it's going to be the same format as it is now, just different transfer, instead of having to print it out and scan it. Captain Stump then asked if this is a theme with Office of Highway Safety or if it was an unprecedented thing, asking if they had asked Newark PD to apply for the grant. Captain Van Campen responded that Rueben put this together and asked for this grant. Mr. Lugg then asked if the director of the program sought funding from OHS and was told that OHS couldn't fund, or did OHS go to them and say, "we want you to do this, go do this." It was noted that OHS is always very generous. When they get the money, they hand it out, and if OHS could get a grant that would cover it they would, but obviously they can't, so Newark is putting in for it. Major Hudson commented that he would feel better about this if he knew it was coming from Newark PD and not from OHS. After discussion, the application was approved by unanimous vote, Major Hudson abstained.

27. Agency: Ellendale PD / Application #17-001

The Committee reviewed the application for funding to attend Taser (CEW) Conducted Electrical Weapon V20 Instructor. The application seeks \$435.00. Bruce Von Goerres indicated the request will be used to attend the taser, inducted electric weapon electric course which will be offered at the DSP range in Smyrna this upcoming July 10th and 11th. Presently, last year there were changes to COPT, which now mandates an annual re-certification of every officer that carries a taser within the state of Delaware. Once certified, the Ellendale officer will assist other local and in-state agencies that require this mandated annual re-certification. A motion to approve was made by Chief Giles, seconded by Mr. Horvath. The application was unanimously approved.

28. Agency: Blades PD / Application #17-002

The Committee reviewed the application for funding to expand camera system from one camera platform to multi-camera platform. The application seeks \$9,898.96. Chief Paul Anthony from Blades PD shared that they currently have one camera. Their goal now is try to have a camera in all of the entrances from town. He shared that Blades is on a major throughway between Laurel

and Seaford with a lot of crime coming back and forth through there. It is an expandable system, so he may come back to petition for more in the future, with a goal of 8-10 cameras. A motion to approve was made by Major Hudson, seconded by Mr. Horvath. The application was unanimously approved.

29. Agency: Capitol PD / Application #17-003

The Committee reviewed the application for funding for training, lodging, and travel for two officers to attend CVSA computer training. The application seeks \$13,000.00. Lieutenant Michael Downs from Capitol PD requested to purchase computer voice-stress analysis program which is a similar alternative to a polygraph. This money would also be used to train two officers in their criminal investigations unit to operate this technology. The representative shared that currently, they are in a state of hiring fairly regularly, and a problem arises when they have to utilize outside agencies, because there is a significant delay, whether they use the state police or another agency. He shared they understand why there is a delay, but if they have an academy class coming in, or other needs, they sometimes have delays up to three months in hiring an officer because of the delay in that polygraph. Also, this technology would be used to conduct both criminal and administrative investigations for both themselves, and making this technology available to outside the department. Ultimately their goal is to get two, with one in NCC and then one in the headquarters in Dover, to be used downstate for both Kent and Sussex County. Captain Feldman asked if this was to primarily be used in the hiring process, to which Lieutenant Downs responded that the hiring is only one component. Lieutenant Downs clarified that it would be used for criminal and administrative investigations as well. A motion to approve was made by Captain Stump, seconded by Mr. Horvath. The application was unanimously approved.

30. Agency: Middletown PD / Application #17-005

The Committee reviewed the application for 16 Pointblank 5x8 SPEED plate concealable body armor; 35 holders, and 35 tourniquets. The application seeks \$6,328.50. A motion to approve was made by Major Hudson, seconded by Mr. Horvath. The application was unanimously approved.

31. Agency: Newport PD / Application #17-007

The Committee reviewed the application to purchase two mobile radio systems (7/800mghz) to upgrade current system. The application seeks \$5,682.00. A motion to approve was made by Mr. Horvath, seconded by Captain Misetich. The application was unanimously approved.

32. Agency: Elsmere PD / Application #17-008

The Committee reviewed the application to purchase one portable radio and two single-unit charger. The application seeks \$2,715.42. A motion to approve was made by Major Hudson, seconded by Captain Stump. The application was unanimously approved.

33. Agency: Wilmington PD / Application #17-009

The Committee reviewed the application to purchase one dual purpose K-9 from Tarhel K-9 including necessary equipment. The application seeks \$7,000.00. The representative requested purchase of a K-9 to replace a retired K-9. Mr. Horvath asked if that qualified as a technology upgrade or if that is personnel. Ms. Davis prompted further discussion by asking if the dogs qualified as personnel. Chief Giles then asked if the dog was going to be trained as a dual-purpose dog – both patrol and drug interdiction. The representative confirmed that it would be dual trained. The Committee determined that it needed to research whether K-9 units had been approved for SLEAF previously. Ms. Davis will work with Ms. Godfrey to answer this question at the next meeting. Chief Giles then made the motion to table this application, pending additional information from SLEAF staff. Major Hudson seconded the motion and the application was tabled.

34. Agency: Wilmington PD / Application #17-010

The Committee reviewed the application to purchase 164 officer-down individual first-aid kits. The application seeks \$15,150.00. A motion to approve was made by Captain Stump, seconded by Chief Laura Giles. Captain Misetec recused himself. The application was unanimously approved.

35. Agency: Division of Alcohol and Tobacco Enforcement / Application #17-012

The Committee reviewed the application to purchase surveillance equipment. The application seeks \$3,270.00. A motion to approve was made by Captain Misetec, seconded by Captain Stump. The application was unanimously approved.

36. Agency: Newark PD / Application #17-013

The Committee reviewed the application for funding for three officers to attend Police Use of Force in Today's World. The application seeks \$4,112.00. The representative requested funding to send three officers to the Police Use of Force in Today's World Conference. The representative explained that it would be three officers, including the officer that oversees their training division. He further explained that the conference would be dealing with the use of force in the new world, especially in light of the Michael Brown and Eric Gardner cases, to avoid future use of force issues. A motion to approve was made by Mr. Horvath, seconded by Captain Feldman. The application was unanimously approved.

37. Agency: New Castle County PD / Application #17-016

The Committee reviewed the application to purchase four ERT shields, 24x36, level IIIA for SWAT team. The application seeks \$6,000.00. A motion to approve was made by Major Hudson, seconded by Mr. Horvath. Captain Feldman recused himself. The application was unanimously approved.

38. Agency: New Castle County PD / Application #17-019

The Committee reviewed the application to purchase (1) Deluxe Street Thunder megaphone; 36 Kohaut Riot Batons; 36 Lawpro Large Duffle bags for officers to store ballistic helmets and face shields. The application seeks \$2,500.00. A motion to approve was made by Major Hudson, seconded by Captain Stump. Captain Feldman recused himself. The application was unanimously approved.

39. Agency: New Castle County PD / Application #17-017

The Committee reviewed the application to purchase 10 SIRT 107 RG performer laser guns. The application seeks \$3,750.00. A motion to approve was made by Captain Stump, seconded by Captain Misetec. Captain Feldman recused himself. The application was unanimously approved.

40. Agency: New Castle County PD / Application #17-014

The Committee reviewed the application to purchase one Demanet bite-suit, top and upper arm covers for K-9 training. The application seeks \$1,200.00. Captain Feldman explained that this application is for the bite suit for their K-9 instructors. Captain Feldman added that they train other K-9 units from across the state, and this is also a hide-box for training for drug dogs. Captain Feldman confirmed that this is not a replacement, but an upgrade. A motion to approve was made by Captain Misetec, seconded by Captain Stump. Captain Feldman recused himself. The application was unanimously approved.

41. Agency: Delaware State PD / Application #17-023:

The Committee reviewed the application to purchase professional forensic firearms examiner to assist DSP firearms. The application seeks \$85,000. Major Hudson shared that this is for the contract for the secondary ballistics examiner. Major Hudson reminded the Committee that this is a state-wide unit that the State Police funds. Captain Feldman asked if this money was the wages of this professional examiner, in which the representative confirmed that it is not for wages, but for the contract. Mr. Lugg asked if there was any further discussion. A motion to approve was made by Chief Giles, seconded by Captain Stump. Major Rob Hudson recused himself. The application was unanimously approved.

Mr. Lugg asked if there were any applications that have not been considered by those present. Hearing none, he proceeded to the next topic of discussion.

Discussion of Body Cameras

Mr. Lugg presented a discussion on body cameras, because the Committee has seen a number of applications concerning body cameras. He explained that he understands that this is likely to continue until they have a plan finalized. However, he wanted to offer a few comments and proposed that Mr. Horvath provide some input as well. Mr. Lugg shared that a team comprised of both municipal and state police is currently working on developing a plan that would allow for a unified system of body cameras, storage, accessibility, and redaction. That committee continues to push forward towards that goal. The idea is that information will eventually be able to be shared seamlessly between the Attorney General's Office and all of our various agencies, due to the fact that there are a lot of inter-agency investigations. Mr. Lugg added that after looking into the status of the project, he was told that it is about 5-6 months away from completion. Mr. Horvath responded that this was his understanding as well. He stated that he had missed the last two meetings of that committee, but that Mr. Lugg explained it correctly. Mr. Horvath went on to add that they are trying create one system, where everyone can benefit on the price, the ease of use, and ease of sharing information with the Attorney General's office and the corresponding agencies. Mr. Lugg added that one of the present goals is developing an RFP for the various vendors. Mr. Fitzpatrick, from the audience, shared that at the last meeting, they were about to push out the RFP. He continued by saying that they had a separate committee working on the back-end solution. Finally, he stated that the solution will be out eventually, as well as the RFP, and that Mr. Lugg was correct with it being about 5 months away from completion. Mr. Lugg stated that he brought up this discussion, recognizing that we did not have anything today as far as body camera applications. The Committee has been discussing this throughout time, stating that they do not want to pour money into something without knowing for a fact that's where we want to go. Mr. Lugg then shared that will continue to inform the group quarterly on this issue.

Public Comment

None.

Next Scheduled Meeting

Mr. Lugg confirmed that the next SLEAF meeting will be held on September 12th at 2:00 PM. Mr. Lugg added that the next meeting after that would likely be in December, whenever the December Chief meeting takes place. Then at the December meeting it is the Committee's intent to have the full calendar of meetings for all four quarters for 2018 published for scheduling purposes.

Adjournment

With no further business before the SLEAF Committee, Mr. Lugg moved to adjourn the meeting, Captain Stump seconded the motion. The motion carried unanimously. The meeting adjourned at 12:19 PM.

Exhibit A

1.0 SLEAF funds may be used for any of the following purposes:

- 1.1 Enhance the suppression, investigation and prosecution of criminal activity**
- 1.2 Investigation and prosecution of criminal activity**
- 1.3 Promote officer safety, including:**
 - 1.3.1 Equipment other than clothing relating to officer safety**
- 1.4 Facilitate the training of law enforcement personnel**
- 1.5 Further public safety, public education, and community awareness**
- 1.6 Improve victim services**

2.0 SLEAF funds may not be used for:

- 2.1 Payment of wages or overtime**
- 2.2 Usual or normal operational expenses associated with the operations of law enforcement agencies, including:**
 - 2.2.1 Those items which ordinarily are reflected in a department's operating budget**
 - 2.2.2 Uniforms**
 - 2.2.3 Police vehicles**
 - 2.2.4 Building maintenance**
 - 2.2.5 Repairs and capital improvements to police facilities**
 - 2.2.6 Equipment necessary to replace existing equipment**
- 2.3 "Buy" money for drug operations**
- 2.4 Satisfying liens on seized personal property, including vehicles.**

3.0 Procedures of SLEAF Committee

- 3.1 Any law enforcement agency may apply for funds, whether or not they have had an opportunity to contribute.**

3.2 Applications for SLEAF funds must be submitted on the form created by the Committee, and must be signed by the requesting agency head.

3.3 A representative of any requesting agency must be present at the SLEAF Committee's meeting or no applications from that agency will be considered.

3.4 When considering applications, the Committee will prioritize those applications that benefit several police departments.

3.5 With limited exceptions, all SLEAF applications are public records, as defined at 29 *Del. C. Ch. 100*. At the time an application is submitted, a department may request that the application be treated as a non-public document. This request must be clearly indicated on the face of the application. The request will be reviewed by the SLEAF Committee, and a determination will be made as to whether or not the application will be treated as a public document. If it is determined that the application will be treated as a public document, despite the department's request otherwise, the submitting department will be so notified and will have ten business days to withdraw the application. Any application not withdrawn within that time will thereafter be treated as a public document.

4.0 Handling of SLEAF funds

4.1 Any funding received from the SLEAF during any fiscal year that remains in the hands of any agency at the end of the fiscal year and that has not been earmarked for or allocated to expenditures prior to the end of the fiscal year must be returned by the agency to the SLEAF unless the agency has requested and received an authorization in writing for an extension of up to 120 days by the Attorney General.

4.2 Funds are considered "earmarked for or allocated to expenditures" if any of the following conditions exist:

4.2.1 A product has been ordered but payment is not yet due.

4.2.2 The SLEAF funds are encumbered by the agency.